

#10 DAC

PTO/SB/64 (10-01)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(B)**

Docket Number (Optional)
AD6649 US NA

First named inventor: Yannick Albertone

Application No.: 09/670,529

Group Art Unit: 1771

Filed: September 27, 2000

Examiner: Jennifer A. Boyd

Title: Laminate Structure

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity - fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$1,300.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Request for Continued Examination and Amendment (identify type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

B. The issue fee of \$

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

03/26/2003 AWONDAF1 00000035 041928 09670529
01 FC:1453 1300.00 CH

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MAR 26 2003
OFFICE OF PETITIONS

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

3-20-03
Date

Telephone

Number: ((302)992-2394)


Signature

Arne R. Jarnholm

Typed or printed name

E. I. duPont de Nemours and Co.

Address

Barley Mill Plaza BMP 25/2110

4417 Lancaster Pike

Wilmington, DE 19805

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay

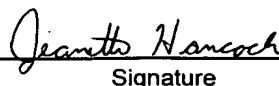
☒ Other: Copy of Amendment with Petition for Extension, Fee Transmittal, Application Data Sheet, ISO2411 submitted 1/16/03 and return receipt postcard; Attachments A, B, C, D; Request for Continued Examination; Certificate of Mailing

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

3/20/03
Date


Signature

Jeanette Hancock

Typed or printed name of person signing certificate

<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2003</h2> <p style="font-size: small; margin: 5px 0;">Patent fees are subject to annual revision.</p>		<p>Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td style="width: 50%;">10/670,529</td> </tr> <tr> <td>Filing Date</td> <td>September 27, 2000</td> </tr> <tr> <td>First Named Inventor</td> <td>Yannick Albertone</td> </tr> <tr> <td>Examiner Name</td> <td>Jennifer A. Boyd</td> </tr> <tr> <td>Group / Art Unit</td> <td>1771</td> </tr> <tr> <td>Attorney Docket No.</td> <td>AD 6649 US NA</td> </tr> </table>		Application Number	10/670,529	Filing Date	September 27, 2000	First Named Inventor	Yannick Albertone	Examiner Name	Jennifer A. Boyd	Group / Art Unit	1771	Attorney Docket No.	AD 6649 US NA
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1205	18	2205	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																			
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SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Ame R. Jarnholm	Registration No. (Attorney/Agent)	30,396	Telephone	(302)992-2394
Signature				Date	January 16, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office.

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MAR 2 6 2003

OFFICE OF PETITIONS

THE STAMP OF THE PATENT OFFICE HEREON ACKNOWLEDGES THE
RECEIPT, ON THE DATE INDICATED, OF THE FOLLOWING:

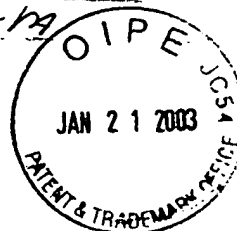
CASE NO.: AD-6649 US NA

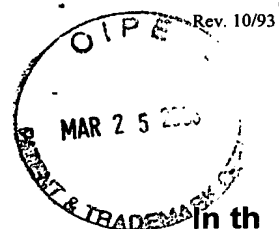
USSN: 09/670,529

DOCUMENT: REFERENCE
AMENDMENT / FEE TRANSMITTAL / EXTENSION

CHARGE CODE: 0521230333 AMOUNT: \$ 930.00

ATTORNEY: ARNF B. V. ARNHOLD





PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In th Application of:

YANNICK ALBERTONE, ET AL.

CASE NO.: AD6649 US NA

SERIAL NO.: 09/670,529

GROUP ART UNIT: 1771

FILED: SEPTEMBER 27, 2000

EXAMINER: JENNIFER A. BOYD

FOR: LAMINATE STRUCTURE

Assistant Commissioner for Patents
Washington, DC 20231

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MAR 26 2003

OFFICE OF PETITIONS

Sir:

In connection with the above-captioned application for patent, Applicants' attorney respectfully requests that the Petition for Revival under 37 CFR 1.137(b) be considered.

**Statement in Support of Petition for Revival of Application
For Patent Abandoned Unintentionally Under 37 CFR 1.137(b)**

Applicants' attorney respectfully petitions the Commissioner to revive the above-captioned application for patent under 37 CFR 1.137(b) as the failure to reply to the non-final office action mailed on July 17, 2002 until the filing of this Petition for Revival was unintentional.

The following information is offered in support of Applicant's statement that the delay in filing a reply in the above-referenced application from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. The Notice of Abandonment was mailed by the US Patent Office on February 3, 2003. This information is submitted as recommended under MPEP 711.03(c), in which petitioners are encouraged to bring to the attention of the Office of Petitions information evidencing the unintentional nature of the abandonment.

1. DuPont uses a computer docketing system for tracking of a variety of patent-related deadlines, and in-house attorneys and support professionals rely on this system to manage response dates.

2. The due date for reply to the Official Action mailed July 17, 2002, appears on the computer docketing system (see Attachment A) and also on the monthly attorney docket schedule (see Attachment B) which are used to monitor case activity. Also attached is the company's "Patent Office Mail Daily Log" (see Attachment C) in which an Amendment and Extension of Time in reply to the July 17, 2002 Office Action are noted as being mailed on January 16, 2003 (a copy as originally mailed is enclosed and submitted herewith, including the postcard stamp receipt showing receipt by the USPTO on January 21, 2003).

3. A draft of a reply to the July 17, 2002 Official Action was prepared and e-mailed to the undersigned (see Attachment D). The undersigned's secretary formatted the amendment to meet USPTO practice and prepared the Petition for Extension, Fee Transmittal, and also the Application Data Sheet. All these documents along with a reference attached to the Amendment were mailed to the USPTO on January 16, 2003. Our records indicate that the fee for the petition for a three-month extension of time was already charge against our Deposit Account No. 04-1928.

4. Attachment A shows the computer generated docket for this particular case in which the undersigned's secretary inserted the performed date of January 16, 2003, which was the date the documents were mailed. Attachment B shows the month's docket in which the undersigned's secretary makes notations in the "comment" column as to the status of the daily docket. See the notation for the Deadline January 17, 2003, AD6649 US NA, in which "1/16" is hand-written by the undersigned's secretary. The undersigned's secretary unintentionally failed to attach a Certificate of Mailing to the various documents being mailed that day in this case to the USPTO.

5. From early August of 2002 through February of 2003 Applicants' attorney was representing his employer, E. I. du Pont de Nemours and Company, in the acquisition of the High Performance Plastics Business from Eastman Chemical Company of Kingsport TN. This activity consumed practically all of Applicants' attorney's working hours, particularly in the month of February, until closing on

February 28, 2003. Consequently, Applicants' attorney had other outstanding matters that necessitated immediate attention, including domestic and foreign patent prosecution matters that had been set aside, and which prevented the undersigned from preparing this and filing this petition to revive until now.

6. Consistent with the requirements of MPEP 711.03(c)(III)(A), Applicants' attorney encloses herewith the required reply and a request for continued examination in accordance with 37 CFR 1.114.

The understanding of the Office of Petitions is earnestly solicited, and Applicants' attorney respectfully requests that the Petition for Revival of this Application be granted on grounds that the case was unintentionally abandoned.

Should any additional fees be required in connection with the subject application, please charge such fees to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,



Arne R. Jarnholm
Attorney for Applicants
Registration No. 30,396
Telephone: 302-992-2394
Facsimile: 302-992-3257

Dated: 3-20-03

(s:\patent documents\Eng. Polymers\AD-66xx\AD6649\Statement Accompanying Petition to Revive AD6649 US NA)

Input date	Event	Nature	Deadline	Performed	Acknowledged	Amount
03/23/2001	Reminder		04/05/2001	03/28/2001		0.00
04/23/2001	PTO Confirmation Number			03/04/2002		
09/11/2001	Status Request		03/27/2002			
10/19/2001	Assignments			10/19/2001		
03/04/2002	Record			01/03/2002		
03/20/2002	Information Disclosure Statement		03/20/2002	03/20/2002		0.00
03/20/2002	Record Purge Reminder/Paper & Electro		03/20/2002			
07/24/2002	Office Action - Non Final (US)			07/17/2002		
07/24/2002	Non-Final Office Action 6 mo (US)		01/17/2003	01/16/2003		0.00
10/17/2002	Reminder		12/17/2002	01/16/2003		

Main Workflow

Input date: 10/17/2002 Event: **Reminder**

Nature: _____ Deadline: 12/17/2002 Performed: 01/16/2003 Acknowledgment: _____

☐ Closed

Time

Executive: _____ Working time: ☒ X Invoice method: _____

Cost Information

Direction: _____ Currency: _____

Amount (local): _____ Amount: _____

Comments

3 Month Extension

AGENDA FOR ARNE R. JARNHOLM

Period from 01/01/2003 to 01/31/2003

File	Event	Deadline	Performed	Att.	Filing number	Comments
AD6574/CN/PCT	Reminder	01/03/2003		ARJ	998057738	Response to Agent deadline 02/03/2003
AD6603/US/NA	Response to Agent (Target)	01/05/2003		ARJ	99100241	<i>etc 3/5 1/7/03</i>
AD6657/US/PRV	Response to Agent (Actual)	01/07/2003		ARJ	99935566-4	FINAL DEADLINE 2/7/03 <i>1/7</i>
AD6901/TWO/PCT	Optional Article 19 Amendment Due [PCT]	01/07/2003		ARJ	PCT/US02/27544	<i>not Filing</i>
AD6848/US/PRV	Response to Agent (Actual)	01/09/2003		ARJ	00965474-6	EXTENDABLE TO 3/9/03
AD6603/US/NA	Response to Agent (Actual)	01/15/2003		ARJ	991002-1	
AD5703/CA/NA	Reminder	01/17/2003		ARJ	2006203	<i>etc 3/17</i>
AD6649/US/NA	Non-Final Office Action 6 mo (US)	01/17/2003		ARJ	09/07/0529	Deadline to reinstate case expires 6/17/02
AD6666/NA/Q/PCT	Invitation to Correct Defects - Drawings	01/17/2003		ARJ	PCT/US02/37307	<i>12/31</i>
DE0308/JIP/PCT	Response to Agent (Actual)	01/23/2003		ARJ	51344704	DEADLINE <i>11/6</i>
AD6643/US/PRV	Information Disclosure Statement	01/24/2003		ARJ	10/253246	<i>11/23/03</i>
AD6784/US/PRV1	Provisional Conversion Deadline	01/24/2003		ARJ	00/351616	<i>2/25/02</i>
AD6857/US/PRV	Paris Convention Deadline	01/24/2003		ARJ		<i>not Filing</i>
AD6837/US/PRV	Paris Convention Deadline	01/24/2003		ARJ	60/351528	<i>not Filing</i>
AD6837/US/PRV	Provisional Conversion Deadline	01/24/2003		ARJ	60/351528	<i>not Filing</i>
AD6850/US/PRV	Paris Convention Deadline	01/24/2003		ARJ		<i>not Filing</i>
AD6850/US/PRV	Provisional Conversion Deadline	01/24/2003		ARJ	60/351585	<i>not Filing</i>
AD6857/US/PRV	Paris Convention Deadline	01/24/2003		ARJ		<i>not Filing</i>
AD6857/US/PRV	Reminder	01/24/2003		ARJ	60/395369	Conversion - this case refers back to priority application AD-6637 filed 1/24/2002. Must convert by 1/24/03 date. <i>not Filing</i>
AD6573/US/CIP	Final Office Action 2 mo (US)	01/25/2003		ARJ	00/610432	<i>3/25/03</i>
AD6715/US/NA1	Reminder	01/26/2003		ARJ	09/804563	2 Month Extension 6 month period 2/26/03
AD6848/US/NA	Information Disclosure Statement	01/26/2003		ARJ	10/227998	<i>11/2/03</i>
AD6802/US/NA	Reminder	01/26/2003		ARJ	00/833456	2 month extension 6 month 2/28/03
AD6846/NA/Q/PCT	Demand Deadline	01/29/2003		ARJ	PCT/US02/22288	<i>PRC 11/2/03</i>
AD6847/US/PRV	Provisional Conversion Reminder	01/29/2003		ARJ	60/376819	Deadline 04/29/03
AD6848/NA/Q/PCT	Demand Instructions to PRC	01/30/2003		ARJ	PCT/US02/27546	<i>1/24/03</i>

Date: 1/16/03

TO: CAROL REEDER

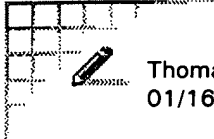
PATENT OFFICE MAIL DAILY LOG

Docket No.	Appl. No.	Document (Title)	Atty/ Agent	Fax	COM	Express Mail	Pick up (PU) or Hand Deliver (HD)	Fee	Docketed (Lisa)	Amt of Postage
PE0686 USNA	10/284,728	Req. for Corrected Filing Receipt	MAC		X					.60
AD6649	10/670,529	Amend/ Extension	RRJ		X			930		.60
AD6731 USNT	10/269,341	Missing Parts - Decl. + Powers	KSD		X			130		.60
CN0101	09/916,605	Supplemental IDS	AGG		X					1.2
IN0020 USNT	08/886,635	IDS	THM			X				.60
7L-1068 NA	10/010,187	Status Inquiry	MRE		X					2.1
PD7665 USNA	08/924,193	RE4 SUPP IDS	GMH		X		HD	740		
CU9908 NA	—	1/1/03 New USNA	BCJ			X		824		
CU9908 NA	—	1/1/03 New USNA	BCJ			X		1586		
		Issue Fees	CR							
		"	"							
FA0711 USNT	10/292,573	Copy of Spec + Responses to Notice of Discontinuation	SGD		X			130		2.6
FA0711 USNT	10/292,573	Copy of Spec + Responses to Notice of Discontinuation	SGD				HD	160.00		
SR0019 USPT	Former to	New Provisional	JMS			X		160.00		
CL2072 USPT	Andrew to	New Provisional	JMS			X	HA	160.00		
JS0027 USNA	10/300,335	Missing Parts	BEL		X			130.00		.70

Please indicate case number on white Express Mail sticker and place on the back of this sheet

S:\User Folders\Massie\Patent Office Mail Daily Log.doc

Attachment D



Thomas W Gorman
01/16/2003 01:05 PM

To: Arne R Jarnholm/AE/DuPont@DuPont
cc: Yannick Albertone/DuPont@DuPont, George Ostapchenko/AE/DuPont@DuPont, Jacques
Gilbert/EUR/DuPont@DuPont, Mark Young/EUR/DuPont@DuPont, Ann F Griffith/AE/DuPont@DuPont
Subject: AD-6649 US NA; Response to Office Action

Arne,

A draft response to the outstanding Office Action is attached. Please note that you will need to fill in the blank in the Remarks relating to how you have already provided the requested post office address information on the application cover sheet. Also, please remember to attach the ISO method to the amendment. The cover sheet will need to include the petition for a three month extension of time.

When I discussed the application with Yannick Albertone and George Ostapchenko yesterday, they confirmed that all four of the original inventors are inventors of the elected claims.

Finally, Yannick and George indicated that they will want to separately pursue protection for the insulation system of non-elected claims 16-21.

Yannick, George, Jacques and Mark,

If you have any additional comments or suggestions regarding the attached response, please contact Arne by noon (Wilmington time) on Friday.



Amend1 AD-6649

Regards,

Tom

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